

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

KATIE CUNNINGHAM,

Plaintiff

v.

NORTHEAST ILLINOIS REGIONAL  
COMMUTER  
RAILROAD CORPORATION  
D/B/A METRA,

Defendant

Case No.: 23-cv-14285

Judge John F. Kness

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**DEFENDANT’S MOTION TO DISMISS PLAINTIFF’S THIRD AMENDED  
COMPLAINT**

NOW COMES Defendant Northeast Illinois Regional Commuter Railroad Corporation d/b/a METRA (“METRA”), by and through its counsel, Koehler Dinkel LLC, and hereby moves to dismiss Plaintiff’s Third Amended Complaint in its entirety pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6). Defendant METRA submits a Memorandum of Law in support of its Motion to Dismiss, filed simultaneously herewith.

Dated: January 13, 2025.

Respectfully submitted,

**NORTHEAST ILLINOIS REGIONAL  
COMMUTER RAILROAD  
CORPORATION D/B/A METRA**

By: /s/ Renee L. Koehler  
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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on January 13, 2025, she electronically filed the foregoing **DEFENDANT’S MOTION TO DISMISS PLAINTIFF’S THIRD AMENDED COMPLAINT** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following counsel of record:

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